



Shell Oil Company
Legal Services
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Email kim.lesniak@shell.com
Internet <http://www.shell.com>

March 14, 2014

VIA UPS OVERNIGHT DELIVERY

Ms. Bonnie Hriczko
Removal Action Branch
U. S. Environmental Protection Agency, Region II
2890 Woodbridge Avenue, MS-211
Edison, New Jersey 08837

Re: Superior Barrel and Drum Site, Elk, Gloucester County, New Jersey
Response of Pennzoil-Quaker State Company to EPA's CERCLA 104(e) Information Request

Dear Ms. Hriczko:

This letter, including attachments, is the response of Pennzoil-Quaker State Company ("PQS") to the above-captioned Information Request dated January 9th, 2014 and received by this office on February 13, 2014. Thank you again for granting PQS a response due date of March 17, 2014.

By way of background, the Pennzoil-Quaker State Company became a wholly owned subsidiary of Shell Oil Company in 2002. Records transferred to Shell's possession were usually accessible by a specific location name or specific address. Since these questions inquire into circumstances and matters which occurred during a timeframe at least partially outside of Shell's/PQS's normal document retention policy, it is likely that there would be little or no documentation in the possession of Shell/PQS which would provide assistance in developing a response.

As an initial matter, PQS has attempted in good faith to respond to the Information Request to the extent that it seeks information authorized by 42 U.S.C. §9604(e)(2) but objects generally to the Information Request on the following grounds:

1. PQS objects generally to the Information Request on the ground that it is overly broad, seeking information not authorized by statute. Section 104(e)(2) of CERCLA, 42 U.S.C. §9604(e)(2) identifies three categories of information that a duly designated representative of the President may seek from any person to the unilateral administrative process authorized by that provision. Some of the information sought by this Information Request is outside those categories.

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2. PQS objects generally to the instructions, definitions and questions contained in the Information Request on the grounds that they are irrelevant, vague, unduly burdensome, unreasonably broad, and an abuse of discretion, or arbitrary and capricious.
3. PQS objects generally to the requirement that PQS furnish a Certification of Answers to the Request for Information in the form provided as overbroad and beyond the scope of CERCLA Section 104(e). Notwithstanding the above and without waiving this objection, an appropriate Certification is enclosed as Attachment A.

Although PQS has attempted to respond in good faith to the Information Request, the responses set forth herein are based upon information currently available to PQS. PQS reserves the right to amend the responses set forth herein if additional or different information is subsequently discovered.

To briefly summarize this response, PQS has not identified any documents or information relating to the Superior Barrel and Drum Site, located at 798 Jacob Harris Lane, Elk, Gloucester County, New Jersey. Documents provided to PQS by the EPA indicate that one container was found on the site bearing a Pennzoil Products Company label. The Hazard Categorization Data Sheet provided by EPA appears to indicate that the contents of the drum consist of an oil-water mixture.

The mere presence of a drum marked with a PQS label does not provide any indication that it was placed there by PQS. Many PQS products are sold in drums and title to the drum and its contents transfers to the customer upon sale. PQS would have no control over what happens to the product or the drum once it is sold. It is possible that a customer may use the empty drum for other purposes once it is empty and PQS would have no control or knowledge of the event.

Please see Attachment B for PQS's response to this Information Request.

Very truly yours,



Kimberly Lesniak
Senior Legal Counsel

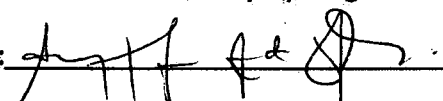
cc: w/ attachments
Mr. William Tucker, Esq.
Office of Regional Counsel
U.S. Environmental Protection Agency, Region II
290 Broadway, 17th Floor
New York, New York 10007

ATTACHMENT A

DECLARATION OF ANTONIO HENRIQUE ALMEIDA

PENNZOIL-QUAKER STATE COMPANY'S MARCH 14, 2014 RESPONSE TO EPA'S REQUEST FOR
INFORMATION REGARDING THE SUPERIOR BARREL AND DRUM SITE
ELK, GLOUCESTER COUNTY, NEW JERSEY

I, Antonio Henrique Almeida certify that I am authorized to complete this declaration on behalf of Pennzoil-Quaker State Company (dba SOPUS Products). I certify that Pennzoil-Quaker State Company (dba SOPUS Products) conducted a good faith search for all records, documents or other information in the possession or control of Pennzoil Quaker State Company (dba SOPUS Products) to obtain all information responsive to this information request, including discussions with persons who have or may have knowledge about these matters. I declare, under penalty of perjury, that the information submitted in response to this information request is true, accurate, and complete to the best of my knowledge, information and belief and based on reasonable inquiry of the persons responsible for collecting the information and preparing the response.

Signature: 

Vice President-Supply Chain Operations
Pennzoil-Quaker State Company (dba SOPUS Products)
910 Louisiana Street
Houston, Texas 77002

Executed on: 03-14-2014
Date

ATTACHMENT B

REQUEST FOR INFORMATION

General Information about the Company

QUESTION NUMBER 1:

1.
 - a. State the correct legal name of the Company.
 - b. Identify the legal status of the Company (corporation, partnership, specify if other) and the state in which the Company was organized.
 - c. State the name(s) and address(es) of the officer(s) of the Company.
 - d. If the Company has subsidiaries or affiliates, or is a subsidiary of another organization, identify these related companies and state the name(s) and address(es) of the officer(s) of those organizations. Provide the same information for any further parent/subsidiary relationships.
 - e. If the Company is a successor to, or has been succeeded by, another, identify such other company and provide the same information requested above for the predecessor or successor company.
 - f. If the Company transacted business with SBD in the name of an entity not already disclosed, give the name of such entity and state its relationship to the Company.

RESPONSES TO QUESTION NUMBER 1

- a. Pennzoil-Quaker State Company (dba SOPUS Products)
- b. Pennzoil-Quaker State Company is a corporation, incorporated in the State of Delaware in 1998.
- c. Please see Attachment C for a list of officers of Pennzoil-Quaker State Company (dba SOPUS Products).
- d. PQS objects to the requirement to identify officers of its parents and subsidiaries as overly broad, not relevant, unreasonably burdensome, and beyond the scope of statutory authority. Subject to and without waiving this objection:

Pennzoil-Quaker State Company was acquired by Shell Oil Company in 2002. Please see Attachment D for a list of subsidiaries of Pennzoil-Quaker State Company.

Please see Attachment E for a list of officers of Shell Oil Company.

Please see Attachment F for a list of Shell Oil Company subsidiaries/affiliates.

- e. PQS objects to this request as vague, overly broad, not relevant, unreasonably burdensome, and beyond the scope of statutory authority. Subject to and without waiving this objection:

Quaker State Corporation was created in 1931 by a consolidation of 18 companies. In 1998, Quaker State merged with Pennzoil Company to form Pennzoil-Quaker State Company. Both companies have acquired and sold subsidiaries in the past. Pennzoil-Quaker State Company was acquired by Shell Oil Company in 2002. In 2003, Pennzoil-Quaker State Company began doing business as SOPUS Products. Individual facilities, assets, product lines and operations have been sold in the past. If EPA has a specific request as to a facility or operation with a connection to Superior Barrel and Drum, please advise.

- f. No such entity identified.

QUESTION NUMBER 2:

2. a. Describe in detail the nature of your Company's business during the years 1974 to the present. If the nature of the business has not been constant, describe the changes that have occurred, including any changes, and when they occurred.
- b. Describe your Company's operations from 1974 to the present and identify all chemicals used or produced as a result of your Company's operations during that period, including any chemicals substances used to clean equipment or machinery and the nature and chemical constituents of all waste streams and their disposition.

RESPONSES TO QUESTION NUMBER 2:

- a. PQS specifically objects to this request as vague, overly broad, not relevant, unreasonably burdensome, and beyond statutory authority. For example, this request is not reasonably tailored to facilities, if any, that had a business relationship with the Superior Barrel and Drum location at issue. Subject to and without waiving this objection:

PQS manufactures and markets lubricants and automotive consumer products. In the past, PQS operated petroleum refineries, coal mining operations, pipelines, distribution terminals and retail gasoline stations and conducted oil and gas exploration and production activities.

- b. PQS specifically objects to the EPA's request to "Describe your Company's operations from 1974 to the present and identify all chemicals used or produced as a result of your Company's operations during that period, including any chemical substances used to clean equipment or machinery and the nature and chemical constituents of all waste streams and their disposition" as vague, overly broad, unreasonably burdensome and beyond statutory authority. Subject to and without waiving this objection:

PQS is a large corporation with numerous past and present operations located throughout the United States. The result of PQS's search indicates that, to the best of PQS's knowledge, PQS had no business relationship with Superior Barrel and Drum at 798 Jacob Harris Lane, Elk, Gloucester County, New Jersey. If the EPA has a specific question regarding chemicals used or produced, chemical substances used to clean equipment or machinery or the nature and chemical constituents of all waste streams and their disposition related to a specified PQS facility that did business with Superior Barrel and Drum, please advise and we will respond as appropriate. The products PQS manufactures and markets are generally petroleum products excluded from CERCLA's definitions of "hazardous substance" and "pollutant and contaminant", 42 U.S.C. Sections 9601 (14) & (33).

Company's Relationship to Superior Barrel and Drum ("SBD")

QUESTION NUMBER 3:

3. a. State whether the Company or any Company facility conducted any business transactions with SBD for the disposal, treatment, or storage of any barrels, drums, or other containers (hereinafter collectively referred to as "Containers").
- b. If so, identify each such facility and describe the relationship between the Company and SBD, including the nature of services rendered or products sold to the Company;
- c. Provide copies of any contracts or agreements between the Company and SBD;

RESPONSES TO QUESTION NUMBER 3:

- a. None identified.
- b. Not applicable. See Response to Question Number 1.
- c. Not applicable.

QUESTION NUMBER 4:

4. a. For each facility identified in Question 3, state the nature of the operations conducted at the facility, including the time period in which the facility operated;
- b. State the name, address, and current RCRA Identification Number of each facility;

RESPONSES TO QUESTION NUMBER 4:

- a. Not applicable.
- b. Not applicable.

QUESTION NUMBER 5:

5. For each transaction between the Company and SBD, provide the following information, which may be provided in tabular format.
- a. Identify the specific dates of each transaction and the facility involved with each transaction. Where an exact date cannot be provided for a transaction, provide an approximation by month and year;
 - b. Identify the number of Containers that were the subject of each such transaction;
 - c. Generically describe each Container that was the subject of each such transaction, including the Container capacity and type (example: 55-gallon closed head steel drums, etc.)
 - d. Identify the intended purpose and nature of each such transaction (example: Company products sold to SBD, Company waste disposed by SBD, Company products purchased from SBD, Services rendered to or from the Company to or from SBD, etc.)
 - e. State whether each Container that was the subject of the transaction contained any substance(s) at the time of the transaction. As to each Container that contained any substance:
 - (1) Identify each such substance, including its specific chemical constituent(s), physical state, quantity by volume and weight, and other characteristics; and
 - (2) Provide all written analyses that may have been generated for each such substance or which may be in the custody or control of the Company and all material safety data sheets, if any, relating to each such substance;

RESPONSES TO QUESTION NUMBER 5:

- a. Not applicable.
- b. Not applicable.

- c. Not applicable.
- d. Not applicable.
- e. Not applicable.

QUESTION NUMBER 6:

- 6. Provide copies of all documents relating in any way to each transaction, including copies of delivery receipts, invoices, or payment devices.

RESPONSE TO QUESTION NUMBER 6:

Not applicable.

QUESTION NUMBER 7:

- 7. Identify all persons who might have knowledge of the transaction or who had any responsibility regarding the transaction.

RESPONSE TO QUESTION NUMBER 7:

Not applicable.

QUESTION NUMBER 8:

- 8. If you contend that any Container identified in response to Question 5, above, did not contain any substance at the time of the transaction, state whether such Container had previously been used by the Company to contain any substance, and if so:
 - a. Identify all substances previously contained within such Container, including its specific chemical constituent(s), physical state, and other characteristic(s); and
 - b. Provide as to such substance(s), all written analyses that may have been generated for each such substance or which may be in the custody or control of the Company and all material safety data sheets, if any, relating to each such substances;

RESPONSE TO QUESTION NUMBER 8:

Not applicable.

QUESTION NUMBER 9:

9. Describe in detail any treatment of any Container that may have been performed by or on behalf of the Company prior to the time that the Container was transferred from the Company, including any process or procedure by which the Container was emptied or cleaned.

RESPONSE TO QUESTION NUMBER 9:

Not applicable.

QUESTION NUMBER 10:

10. If you sent any Container by means of any third party transporter, identify each such transporter, including the name and address of such transporter, and identify in which of the transactions such transporter acted.

RESPONSE TO QUESTION NUMBER 10:

Not applicable.

QUESTION NUMBER 11:

11. Identify each person consulted in responding to these questions and all questions on which he or she was consulted.

RESPONSE TO QUESTION NUMBER 11:

The following persons were consulted in the preparation of this response:

David Soza
HSSE Specialist
Shell Lubricants
P. O. Box 2463, Rm. 6020B
Houston, TX 77252-2463
Please contact through Kimberly Lesniak, Legal Counsel (713-241-5403)

Ron Averill
MS, Safety, Assurance & Environment
Shell Lubricants
P. O. Box 2463, Rm. 6022B
Houston, TX 77252-2463
Please contact through Kimberly Lesniak, Legal Counsel (713-241-5403)

Mark Himberger
Staff Environmental Engineer-Legacy Group
Shell Exploration and Production
150 N. Dairy Ashford St., Rm. C440D
Houston, TX 77079-1197
Please contact through Kimberly Lesniak, Legal Counsel (713-241-5403)

Stephen Byrne
Logistics Manager-DC Direct
Shell Lubricants
2625 Wagner Place
Maryland Heights, MO 63042
Please contact through Kimberly Lesniak, Legal Counsel (713-241-5403)

Kendall B. Wilson
Waste/Wastewater Treatment Engineer/Residual Management Coordinator
Shell Global Solutions US Inc.
Shell Technology Center Houston
3333 Highway 6 South
Houston, TX 77082-3101
Please contact through Kimberly Lesniak, Legal Counsel (713-241-5403)

Kevin Beachman
Logistics Supervisor
Shell Lubricants
Pennzoil-Quaker State Company – Whippany DC
55 S. Jefferson Road
Whippany, NJ. 07981
Please contact through Kimberly Lesniak, Legal Counsel (713-241-5403)

David Ryan
Logistics Supervisor
Shell Lubricants
Pennzoil-Quaker State Company – Baltimore DC
818A Pulaski Hwy
Joppa, MD. 21085
Please contact through Kimberly Lesniak, Legal Counsel (713-241-5403)

Thomas Zales
Logistics Administrator
Shell Lubricants
Pennzoil-Quaker State Company-Whippany DC
55 S. Jefferson Road
Whippany, NJ. 07981
Please contact through Kimberly Lesniak, Legal Counsel (713-241-5403)

Ed Barney

Filling Supervisor
Congo Lube Oil Blend Plant
155 Quaker State Rd
Newell, WV 26050
Please contact through Kimberly Lesniak, Legal Counsel (713-241-5403)

QUESTION NUMBER 12:

12. Identify any other person or entity (e.g. individual, company, partnership, etc.) having knowledge of facts relating to the questions which are the subject of this inquiry. For each such person that you identify, provide the name, address, and telephone number of that person, and the basis of your belief that he or she has such knowledge. For past and present employees, include their job title(s) and a description of the responsibilities.

RESPONSE TO QUESTION NUMBER 12:

None identified.

QUESTION NUMBER 13:

13. Supply any additional information or documents that may be relevant or useful to identify other sources who disposed of or transported Containers to the Site.

RESPONSE TO QUESTION NUMBER 13:

None identified.

ATTACHMENT C

PENNZOIL-QUAKER STATE COMPANY OFFICERS

Kapitany, Istvan	President
Almeida, Antonio Henrique Z.	Vice President – Supply Chain Operations
Bryant, Erica F.	Vice President-Human Resources and Services
Craig, Annette	Vice President-Logistics North America
Davis, David P.	Vice President-Finance and Treasurer
Huisman, Brian J.	Vice President-Tax
Ledbetter, Steven C.	Vice President-Fast Lubes
Linardi, JoseMaria	Vice President-Portfolio
Marks, Brett L.	Vice President-Legal
Miner, Todd S.	Vice President-Supply Chain Planning
Borgmeier, Lynn S.	Secretary
Le Gault II, James N.	Controller
Bohan, Richard W.	Assistant Secretary
McKibbin, Debora	Assistant Secretary
Watkins, Marcella D.	Vice President-Intellectual Property and Trademarks

ATTACHMENT D

SUBSIDIARIES OF PENNZOIL-QUAKER STATE COMPANY (dba SOPUS Products)

Green Shield, Inc

Jiffy Lube International, Inc.

Pennzoil-Quaker State International Corporation

Quaker State Investment Corporation

ATTACHMENT E

SHELL OIL COMPANY OFFICERS

Odum, Marvin E.	President
Brinley, David R.	Executive Vice President
Culpepper, Bruce	Executive Vice President
Culpepper, Bruce	Executive Vice President Human Resources
Montana, M. C. (Peggy)	Executive Vice President – Downstream
Deere, Cynthia	Vice President Finance
Lundell, Craig M.	Vice President Intellectual Property
McGrath, Michelle M.	Vice President and General Tax Counsel
Probyn, Keith	Vice President Real Estate
Malnak, B. P.	Vice President Government Affairs
Bohan, Richard W.	Corporate Secretary
Fraga, Rodrigo M.	Treasurer
Nolte, Anthony M.	Controller
Borgmeier, Lynn S.	Assistant Secretary
Moses, Eric J.	Assistant Treasurer
Norman, Monica R.	Assistant Controller

ATTACHMENT F

Subsidiaries of Shell Oil Company

Concha Chemical Pipeline LLC International	Shell Information Technology
Deer Park Refining Limited Partnership Production Inc.	Shell International Exploration and
Infineum USA Inc.	Shell Leasing Company
Loop LLC	Shell Oil Products Company LLC
Mertvyi Kultuk LLC	Shell Rail Operations Company
Pecten Arabian Company	Shell Technology Ventures LLC
Pecten Overseas Services Company	Shell Treasury Center (West) Inc.
Pecten Trading Company	Shell US & E&P Investments LLC
Pennzoil-Quaker State Company	Shell Windenergy Inc.
Scogi. G.P.	Shell Windenergy Services Inc.
Shell Catalysts Ventures Inc.	SOPC Holdings East LLC
Shell Chemical Capital Company	SOPC Holdings West LLC
Shell Chemical LP Inc.	Shell (US) Gas & Power M&T Holdings,
Shell Communications Inc.	Shell Chemical Appalachia
Shell Downstream Inc. Company	Shell NA Gas & Power Holding
Shell EP Holdings Inc.	Shell US Hosting Company
Shell Expatriate Employment US Inc.	TMR Company
Shell Exploration & Production Company	Triton Diagnostics Inc.
Shell Global Solutions (US) Inc.	Valley Pines Associates
	Woodcreek Properties

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Pennzoil-Quaker State Co.
Pennzoil Place 200 Millam St.
Ste 125, Houston, TX 77002
Attn: Lynn Elsenhans, President

2. Article Number
(Transfer from service label)

7012 1640 0001 8519 3613

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

28 JAN 11 4 28 AM

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☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

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Bonnie Hriczko
U.S. Environmental Protection Agency
Removal Action Branch-(MS-211)
Building 205
2890 Woodbridge Avenue
Edison, New Jersey 08837-3679



MARIE HERNANDEZ
(713) 241-5075
SHELL OIL
910 LOUISIANA ST
HOUSTON TX 77002

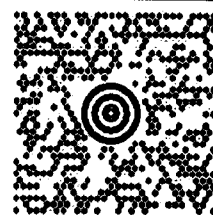
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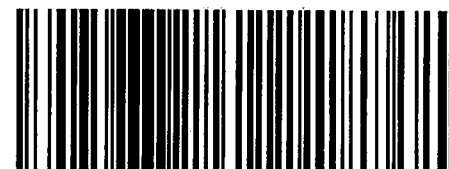
SHIP TO US EPA REGION II
713/2415075
MS BONNIE HRICZKO
MS-211
2890 WOODBRIDGE AVENUE

EDISON NJ 08837-3659

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